

ALLEGED SHIPMENT: On or about November 2, 1945, and May 13, 1946, by the Packer Products Co., from Philadelphia, Pa.

PRODUCT: 27 cases, each containing 12 35-ounce jars, of dog food and 128 cases, each containing 24 15½-ounce jars, of cat food at Washington, D. C.

LABEL, IN PART: "Beefy Dog Food," and "Cat 'N Fiddle Cat Food."

NATURE OF CHARGE: Dog Food. Adulteration, Section 402 (b) (1), a valuable constituent, protein, had been in part omitted from the article. Misbranding, Section 403 (a), the name "Beefy" and the label statement "Min. Protein 8.00%" were false and misleading as applied to the dog food, which contained a very small amount of meat and less than the declared amount of protein.

Cat food. Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: February 25, 1947. Default decree of condemnation and destruction.

FISH AND SHELLFISH

13617. Adulteration of herring in brine. U. S. v. Oscar M. Frankland (Harris Cove Packing Co.). Plea of guilty. Fine, \$750. (F. D. C. No. 24549. Sample Nos. 69948-H, 87701-H.)

INFORMATION FILED: May 3, 1948, District of Maine, against Oscar M. Frankland, trading as the Harris Cove Packing Co., at Eastport, Maine.

ALLEGED SHIPMENT: On or about April 19 and 21, 1947, from the State of Maine into the States of Illinois and New York.

NATURE OF CHARGE: Adulteration, Section 402 (a) (5), the article was in part the product of a diseased animal, namely, diseased fish.

DISPOSITION: June 6, 1948. A plea of guilty having been entered, the court imposed a fine of \$750.

13618. Adulteration of frozen fish. U. S. v. 957 Pounds * * * (and 1 other seizure action). (F. D. C. Nos. 22280, 22281. Sample Nos. 91001-H, 91002-H.)

LIBELS FILED: February 13, 1947, Southern District of New York.

ALLEGED SHIPMENT: On or about July 16 and September 23, 1946, by Waldman's Fish Co., from Montreal, Canada.

PRODUCT: Frozen fish. 957 pounds of whitefish, pickerel, trout, yellowfish, and ciscoes, and 2,596 pounds of salmon, at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: March 5, 1947. Default decrees of condemnation and destruction.

13619. Adulteration of frozen dressed ciscoes. U. S. v. 11 Boxes * * *. (F. D. C. No. 22235. Sample Nos. 63532-H, 63539-H.)

LIBEL FILED: February 3, 1947, Southern District of New York.

ALLEGED SHIPMENT: On or about July 19 and 20, 1946, by the Erie Fish Co., and by the Barcelona Fish Co., from Erie, Pa.

PRODUCT: 11 boxes containing approximately 1,496 pounds of frozen dressed ciscoes at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed fish.

DISPOSITION: February 25, 1947. Default decree of condemnation and destruction.

13620. Adulteration of frozen haddock. U. S. v. 300 Boxes * * *. (F. D. C. No. 22357. Sample No. 48567-H.)

LIBEL FILED: January 8, 1947, District of Colorado.

ALLEGED SHIPMENT: On or about November 16, 1946, by the Booth Fisheries Corp., from Chicago, Ill.

PRODUCT: 300 10-pound boxes of frozen haddock at Denver, Colo.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (Examination showed the presence of decomposed fish.)

DISPOSITION: March 26, 1947. The Booth Fisheries Corp., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be disposed of in compliance with the law, under the supervision of the Food and Drug Administration. The product was denatured and utilized for animal feed.

13621. Misbranding of canned rockfish. U. S. v. 74 Cases * * *. (F. D. C. No. 22913. Sample No. 74400-H.)

LIBEL FILED: April 18, 1947, District of Massachusetts.

ALLEGED SHIPMENT: On or about November 9, 1946, by Columbia River Salmon Co., Inc., from Astoria, Oreg.

PRODUCT: 74 cases, each containing 48 7-ounce cans, of rockfish at Boston, Mass.

LABEL, IN PART: "Blue Letter A Flaked Boneless Pacific Ocean Rockfish In Pure Salad Oil."

NATURE OF CHARGE: Adulteration, Section 403 (a), the label statement "In Pure Salad Oil" was false and misleading since the article was packed in brine containing a very small amount of oil; and, Section 403 (d), the container was so filled as to be misleading since the cans were not filled as full of fish as practicable.

DISPOSITION: On May 28, 1947, the case was transferred to the Western District of Washington. On July 30, 1948, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

13622. Adulteration and misbranding of canned salmon. U. S. v. 15 Cases * * * (and 2 other seizure actions). (F. D. C. Nos. 23185, 23186, 23409. Sample Nos. 66765-H, 66766-H, 69789-H.)

LIBELS FILED: June 17 and August 15, 1947, Southern District of New York and Northern District of Illinois.

ALLEGED SHIPMENT: On or about November 18, 1946, and April 14 and May 5, 1947, by the United Food Specialty Co., from Detroit, Mich.

PRODUCT: Canned salmon. 20 cases at New York, N. Y., and 3 cases at Chicago, Ill. Each case contained 48 7¾-ounce cans.

LABEL, IN PART: "Columbia River Fancy Chinook Salmon" or "Namyah Brand Fancy Chinook Salmon."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), red salmon had been substituted for Chinook salmon, which the product was represented to be. Misbranding, Section 403 (a), the label designations "Fancy Chinook Salmon" and "Columbia River Fancy Chinook Salmon" were false and misleading as applied to red salmon.

Misbranding, Section 403 (a), the statement on the label of the "Columbia River" brand "Packed By Columbia River Packers Assn., Inc. Astoria, Oregon" was false and misleading since the product had not been packed by that firm.

DISPOSITION: September 2 and December 29, 1947. Default decrees of condemnation. The product was ordered delivered to charitable institutions, with the exception of two cases of the New York lot, which were ordered delivered to the Food and Drug Administration.

13623. Adulteration of frozen salmon and whitefish. U. S. v. 3 Boxes of frozen whitefish (and 1 seizure action against frozen salmon). (F. D. C. Nos. 22215, 22325. Sample Nos. 63536-H, 91005-H.)

LIBELS FILED: January 28 and March 4, 1947, Southern District of New York.

ALLEGED SHIPMENT: On or about July 9 and 14, 1946, by Straker & Gross, Montreal, Canada.

PRODUCT: 345 pounds of frozen whitefish and 1,174 pounds of frozen salmon at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of decomposed and putrid substances. (Examination showed the presence of decomposed salmon and putrid whitefish.)

DISPOSITION: February 19 and April 1, 1947. Default decrees of condemnation and destruction.